

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

IN RE: EMPLOYMENT)
DISCRIMINATION LITIGATION)
AGAINST THE STATE OF)
ALABAMA, et al.,)

EUGENE CRUM, JR., et al.,)

Plaintiffs,)

v.)

STATE OF ALABAMA, et al.,)

Defendants.)

2:07cv432-MHT
CIVIL ACTION NO.

2:94cv356-MHT

ORDER

It is ORDERED as follows:

- (1) The motion to intervene (Doc. No. 325) is granted.
- (2) Any related complaint-in-intervention is converted to a separate lawsuit.
- (3) The clerk of the court is to set up a separate lawsuit and file for the complaint-in-intervention. Counsel for the intervenor and

the defendants are to let the clerk of the court know forthwith what filings she needs to include in this separate lawsuit.

The court believes that any related complaint-in-intervention should proceed as a separate lawsuit.

DONE, this the 16th day of May, 2007.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

1998 MAY 11 A 11:59

FILED

MAY 11 1998

THOMAS C. DAVEN, CLERK
BY _____
DEPUTY CLERK

IN RE: EMPLOYMENT DISCRIMINATION
LITIGATION AGAINST THE STATE OF
ALABAMA, et al.:

EUGENE CRUM, JR., et al.,

Plaintiffs,

v.

STATE OF ALABAMA, et al.,

Defendants.

Shirley Mays,

Plaintiff-Intervenor,

v.

STATE OF ALABAMA, GOVERNOR FOB
JAMES, STATE OF ALABAMA PERSONNEL
BOARD, STATE OF ALABAMA PERSONNEL
DEPARTMENT, DR. HALYCON VANCE
BALLARD, ALABAMA DEPARTMENT OF
HUMAN RESOURCES, AND ALABAMA
DEPARTMENT OF INDUSTRIAL RELATIONS

Defendants.

2:07cv432-MHT

CIVIL ACTION NO.:
CV-94-T-356-N

MOTION TO INTERVENE

COMES NOW the applicant, Shirley Mays, pursuant to Rule 24(b) of the Federal Rules of Civil Procedure, and applies to this Court for permission to intervene as a party plaintiff in the above-entitled cause. As grounds for this motion, applicant would show unto the court as follows:

1. This motion is timely based upon the following factors:

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- (a) Length of Time Applicant Has Known Of her Interest. The plaintiff-intervenor has been waiting for the issuance of her right-to-sue letter from the EEOC and Justice Department before seeking intervention into this case. Plaintiff-intervenor has filed this motion within 90 days of the issuance of her right-to-sue letter. Based on these facts, it should be held that there has been no undue delay on the part of the applicant in seeking intervention into this lawsuit.
- (b) Prejudice to Parties from Failure to Move Sooner. The parties will not be unduly prejudiced by the intervention sought herein.
- (c) Prejudice to Applicant if Intervention Denied. Applicant will be unduly prejudiced by the necessity of maintaining an individual, separate lawsuit involving complex issues and costly experts, which will be duplicative of the present case.
- (d) Unusual Circumstances. The circumstances of the case militate in favor of intervention as it will prevent duplicative and expensive discovery and the retrial of identical issues.

2. A copy of this motion is being served upon all parties through their respective counsel.

3. The applicant's claims and the claims of the named plaintiffs, plaintiff-intervenors, and putative class in the case at bar involve common questions of law and fact.

4. This motion is accompanied by applicant's complaint-in-intervention, which is attached hereto.

5. Intervention will not unduly delay or prejudice the adjudication of the rights of the original parties.

WHEREFORE, premises considered, applicant respectfully moves this court to permit

her intervention into the instant legal action as a party plaintiff.

Respectfully submitted,



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Intervenors and Putative Plaintiff

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served, either by hand delivery or by placing same in the United States Mail, properly addressed and first class postage prepaid, on this the 8 day of May, 1998 on the following:

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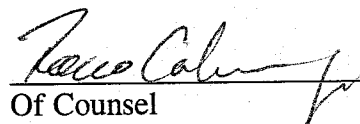
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